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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,867	03/14/2001	Rahul Mehra	01110	3394

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HEAD, JOHNSON & KACHIGIAN
228 W 17TH PLACE
TULSA, OK 74119

EXAMINER

SALCE, JASON P

ART UNIT	PAPER NUMBER
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2623

MAIL DATE	DELIVERY MODE
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10/12/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/805,867

Applicant(s)

MEHRA, RAHUL

Examiner

Jason P. Salce

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-4 and 6-9 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 and 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robinett et al. (U.S. Patent No. 6,351,474) in view of Williams (U.S. Patent No. 6,134,419).

Referring to claim 1, Robinett discloses a data processing system for data received by a broadcast data receiver (**see Figures 1 and 4**).

Robinett also discloses a broadcast data receiver provided for receiving multiple transport streams of digital data which are transmitted from a source at a remote location (**see Figure 1 for receiver 30 receiving transport streams 1-3 from an external source**), said digital data in each transport stream including a series of packets of data provided with associated codes to indicate the type of data, wherein the data includes video, audio or auxiliary data (**see Column 3, Line 1 through Column 4, Line 59**).

Robinett also discloses that the receiver is provided with a plurality of adaptors, each of which receives a different transport stream of said digital data (**see Column 18, Lines 25-28**).

Robinett also discloses that said receiver is further provided with means that allow the selection and combination of packets of data from said multiple transport streams of data multiplexed into a single stream of data in response to control commands (**see Figure 1 for remultiplexing transport streams 10-13 into a single output/transport stream 18**).

Robinett also discloses that said selected packets of data are combined and further processed to generate video, audio or auxiliary data therefrom (**see Column 1, Lines 57-63**).

Robinett also discloses that each transport stream of data including transport packets provided with packet identification codes for the packets of data in the stream (**see Column 3, Lines 16-21**), and a transport stream identification code is allocated to each of the transport packets (**see Column 6, Lines 8-26 for MPEG-2 compliant transport streams, where each transport stream inherently contains a transport stream ID (TSID) and that each transport stream contains multiple packets with a PID assigned to each packet (see above), therefore all packets that are placed/allocated into a specific transport stream are allocated to the transport stream itself**) to allow identification and differentiation of each of the packets of data in terms of the specific stream of data from which they originate (**Column 6, Lines 8-26 for MPEG-2 compliant transport streams, which inherently contain a transport**

stream ID (TSID) assigned to each transport stream to identify each individual transport stream), and selection of the appropriate data packets to form the said multiplex single stream of data received by the receiver (see Column 12, Lines 58-65), and wherein the allocation of the transport stream identification code allows the differentiation of a packet of data in a first transport stream from any packet of data in a further transport stream which has the same packet identification code (see again Column 12, Lines 58-65, Column 18, Lines 45-62, Column 19, Lines 17-40, Column 20, Lines 37-51 and Column 22, Lines 54-57).

The examiner notes that the claim limitations “allocate” and “allocating” is broad and does not specifically recite that the transport packet identification code is physically inserted into the signal. The examiner recommends changing the claim language back to “added” and “addition”.

Although Robinett teaches tuning to a specific frequency (see Column 4, Lines 36-40) and receiving multiple transports streams at a receiver (see Figures 1 and 4), Robinett fails to disclose a plurality of tuners and different sources from remote locations.

Williams discloses a transmodulator that receives multiple programming signals transmitted from remote locations from different sources (see Figure 1) and a plurality of tuners (see Figures 3 and 8).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the remultiplexing system, as taught by Robinett, using the transmodulator components that receive programming signals (at a plurality of

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tuners) from different sources at remote locations, as taught by Williams, for the purpose of broadcasting a large number of transponder signals associated with one or more satellites over the same cable line to one or more adjacent buildings (**see Column 3, Lines 24-27**).

Referring to claim 2, Robinett also discloses that the identification code is located with the transport packet (**see Column 3, Lines 16-21**) which includes a series of identification codes which contain and provide information relating to the packets of data in that stream of data (**see Column 3, Line 53 through Column 4, Line 40**).

Referring to claim 3, Robinett also discloses that the identification code identifies the transport packet of the data stream (**see again Column 3, Lines 16-21**).

Referring to claim 4, Robinett discloses that the identification codes are generated by re-using existing, superfluous data bits within the exiting transport packet syntax said bits replaced by the identification code or codes which identify the streams of data being received (**see Column 4, Lines 62-67**).

Referring to claim 6, Robinett discloses that the identification codes for the multiple data streams are stored in a memory device and reference to said memory by the receiving allows the identification of each of the data streams with reference to the

identification codes accompanying the transmitted data streams (**see Column 19, Line 17 through Column 20, Line 51**).

Referring to claim 7, see the rejection of claim 1.

Referring to claims 8-9, see the rejection of claim 3.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason P. Salce whose telephone number is (571) 272-7301. The examiner can normally be reached on M-F 9am-6pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason P Salce
Primary Examiner
Art Unit 2623

October 10, 2007

JASON SALCE
PRIMARY PATENT EXAMINER

A handwritten signature in black ink, appearing to read 'Jason Salce', is written over the printed name and title.